

SCOTTSDALE

CITY COUNCIL MEETING

*****AMENDED*** AGENDA — (ITEM 10)**



COUNCIL

Mary Manross, Mayor

Wayne Ecton

Robert W. Littlefield

Cynthia Lukas

Ned O'Hearn

David Ortega

Tom Silverman

Monday, October 21, 2002

MARKED AGENDA

5:00 P.M.

CITY COUNCIL MEETING

Call to Order – City Hall Kiva Forum, 3939 N. Drinkwater Boulevard – **5:07 P.M.**

Roll Call – ALL PRESENT

Presentations/Information Updates

Plaque Presented by Scottsdale Public Library Friends – **JOAN FUDALA PRESENTED AWARD TO JUDY REGISTER**

Scottsdale Beautification Program - **MICHELLE BRUCE AND ERIC ALLEN PRESENTED AWARDS TO WINNERS IN THE FOLLOWING 6 CATEGORIES --- LANDSCAPE IMPROVEMENTS BY HOMEOWNERS – 8201 E. COOLIDGE; BUILDING AND EXTERIOR IMPROVEMENT (RESIDENTIAL) – 8444 E. BONITA DR.; COMMERCIAL PROPERTY IMPROVEMENTS – SCOTTSDALE GALLERIA; OVERALL PROPERTY MAINTENANCE (RESIDENTIAL) – 8110 E. WINDSOR AVENUE; OVERALL PROPERTY MAINTENANCE BY A HOMEOWNER'S ASSOC. – SPUR CIRCLE ASSOC.; OVERALL PROPTERY MAINTENANCE – 7007 E. 5TH AVE.**

Public Comment - JUDE NAU – REQUESTED THAT COUNCIL AGENDIZE CONSIDERATION TO REMOVE HIS PROPERTY FROM THE REDEVELOPMENT AREA AS WELL AS KEEP HIM NOTIFIED OF THE PLANS FOR THE WATER TREATMENT FACILITY WHICH WILL IMPACT HIS SITE

Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening's meeting. Please check the box that refers to "public comment." This "Public Comment" time is reserved for citizen comments regarding non-agendized items. No official Council action can be taken on these items.

1. Thai Royal Barge Liquor License Request – OK - C

Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) State liquor license.

Location: 8140 N Hayden Road, #H-115

Reference: 79-LL-2002

Staff Contact(s): Jeff Fisher, Development Services Director, 480-312-7619,

jefisher@ci.scottsdale.az.us

2. Fleming's Prime Steakhouse and Wine Bar Liquor License Request – OK - C

Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) State liquor license.

Location: 20753 N Pima Road

Reference: 80-LL-2002

Staff Contact(s): Jeff Fisher, Development Services Director, 480-312-7619,

jefisher@ci.scottsdale.az.us

3. Medizona Liquor License Request – OK - C

Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) State liquor license.

Location: 7217 E Forth Avenue

Reference: 82-LL-2002

Staff Contact(s): Jeff Fisher, Development Services Director, 480-312-7619,

jefisher@ci.scottsdale.az.us

4. Moloko Liquor License Request – OK - C

Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) State liquor license.

Location: 7228 E First Avenue

Reference: 83-LL-2002

Staff Contact(s): Jeff Fisher, Development Services Director, 480-312-7619,

jefisher@ci.scottsdale.az.us

5. The Desert Mountain Club Permanent Extension of Premises – OK - C

Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a permanent extension or premises for an existing country club.

Location: 10550 E Desert Hills Drive

Reference: 14-EX-2002

Staff Contact(s): Jeff Fisher, Development Services Director, 480-312-7619,

jefisher@ci.scottsdale.az.us

6. Jetz – OK - C

Request: A conditional use permit for live entertainment at an existing 6,100+/- square foot restaurant/bar.

Location: 10050 N Scottsdale Road, Suite 127

Reference: 3-UP-2002

Staff Contact(s): Tim Curtis, Project Coordination Manager, 480-312-4210, tcurtis@ci.scottsdale.az.us

7. Construction Contract Award for Hayden Road, Frank Lloyd Wright Boulevard to Loop 101 Freeway. – OK - C

Request: Authorize Construction Contract Award No. 02PB136 to Achen-Gardner Engineering, LLC, the lowest responsive bidder, at their total unit price bid of \$3,494,824.10.

A new, four lane street will be constructed from Princess Drive to the Loop 101 Freeway. An Intelligent Transportation System (ITS) will be installed from the Loop 101 Freeway to Frank Lloyd Wright Boulevard.

Staff Contact(s): Alex McLaren , Construction and Design Director, amclaren@ci.scottsdale.az.us(480)312-7099

8. Purchase of gas chromatograph/mass spectrometer, plotter, and computer aided dispatch workstation to expand and improve the quality of service provided to the police officers. – OK - C

Request: Adopt Resolution No. 6167 authorizing the Police Department to accept the funds made available under the Local Law Enforcement Block Grant program in the amount of \$70,369. Authorize the expenditure of the city co-share required by the grant in the amount of \$7,819. The grant will allow the Police Department to purchase a gas chromatograph/mass spectrometer to be used in the development of a toxicology screening service in the Police Department Crime Laboratory, the purchase of a plotter with the capability to print large scale maps and diagrams for the Crime Analysis Unit, and the purchase of a computer aided dispatch workstation to allow for better communication and dispatching ability for the Communication Unit. Grant center 230-36507 will be established to record the activity of this grant.

Related Policies, References: Omnibus Fiscal Year 2002 Appropriation Act authorizes funds to be made available to local governments. All equipment acquisitions from these funds will adhere to Purchasing guidelines.

Staff Contact(s): Allen Steve Garrett, Forensic Services Division Manager, 480-312-5280, sgarrett@ci.scottsdale.az.us

9. North Indian Bend Wash CERCLA (Superfund) Amended Consent Decree – OK - C

Request: Authorize Resolution No. 6174 to approve and execute an Amended Consent Decree, Civil Action No. CV 91-1835-PHX-WPC, among the United States, the State of Arizona, the Salt River Valley Water Users' Association, Motorola, Inc., Siemens Corporation, Smithkline Beecham, and the City of Scottsdale.

Staff Contact(s): Steve Bennett, Deputy City Attorney, 480-312-2405; Maria Mahar, Water Resources Analyst, 480-312-5747; Dave Petty, Water Operations Manager 480-312-5661

*****10. Adoption of Resolution No. 6133, to authorize Intergovernmental Agreements (IGAs) Nos. 2002-113-COS and 2002-114-COS, and to authorize the transfer of \$73,368 capital contingency budget to the Kilo Ramp and Airport Service Road reconstruction project and a 15% project contingency. – OK - C**

Request: Adopt Resolution No. 6133, authorizing IGA No. 2002-113-COS with the Federal Aviation Administration (FAA) accepting grant no. 3-04-0032-16 for \$1,494,614; and Authorizing IGA No. 2002-114-COS with the Arizona Department of Transportation (ADOT) accepting grant no. E3F26 for \$73,368.

Authorize the transfer of \$73,368 capital contingency budget to use for the City's required grant match (4.47% of the total project costs of \$1,641,350) and a 15% project contingency for the grant match portion of \$11,005 for any unanticipated project overruns. Expenditure budget for the City's grant match was anticipated and approved in the current capital budget for the Aviation enterprise fund for FY 2004/05. Grant funds became available sooner. This is the first year of Aviation enterprise fund self-sufficiency and operations have not yet resulted in enough capital funds for Aviation to provide the matching funds at this time. Aviation will repay the capital contingency in FY 2003/04.

The above will allow the Airport to reconstruct the Kilo ramp and Airport service road to the standards recommended in the Airport Runway Safety Area Analysis report completed during FY 2001/02.

Staff Contact(s): Scott T. Gray, Aviation Director, (480) 312-7735, sgray@ci.scottsdale.az.us

11. Award of Contract 02PB013 for the Reconstruction of Kilo Apron and Airport Service Road – OK - C

Request: Consider authorizing bid award No. 02PB013 for \$1,323,790.50 to J. Banicki Construction, Inc and a 15% project contingency.

Related Policies, References:

The contract will be funded (95.53%) by Federal Aviation Administration (FAA) and Arizona Department of Transportation (ADOT) grants and by capital contingency budget (4.47%). See Resolution No. 6133 authorizing Intergovernmental Agreements 2002-113-COS and 2002-114-COS for grants 3-04-0032-16 and E3F26, respectively.

Staff Contact(s): Scott T. Gray, Aviation Director, (480) 312-7735, sgray@ci.scottsdale.az.us

12. Marshall's Service Center – OK - C

Request to approve:

1. A rezone from Neighborhood Commercial (C-1) to Highway Commercial (C-3),
2. Adoption of Ordinance No. 3472 affirming the above rezoning
3. A conditional use permit for automotive repair,
4. A conditional use permit for automotive rental,
5. A Development Agreement stipulated in Case 17-ZN-2002, and
6. Adoption of Resolution No 6147 affirming the development agreement.

Location: 8128 E Indian School Road

Reference: 15-ZN-2002, 13-UP-2002, 17-UP-2002 & Development Agreement No. 2002-126-COS.

Staff Contact(s): Kira Wauwie AICP, Project Coordination Manager, 480-312-7061,

kwauwie@ci.scottsdale.az.us

Regular Agenda begins on the following page

13. Mountainside Plaza - OK – 7/0

Request to:

1. Rezone from Multi-Family Residential, Planned Community Development (R-5 PCD) to Service Residential (S-R), and
2. Adopt Ordinance No. 3469 affirming the above rezoning.

Location: Northeast corner of Shea Boulevard and 116th Street

Reference: 19-ZN-1987#3

Staff Contact(s): Kira Wauwie AICP, Project Coordination Manager, 480-312-7061,
kwauwie@ci.scottsdale.az.us

14. Villas Verona (aka Northridge Villas) – OK – 7/0

Request to:

1. Rezone 1+/- acre of a 5+/- acre parcel from Neighborhood Commercial, Environmentally Sensitive Lands (C-1 ESL) to Multi-Family Residential, Environmentally Sensitive Lands (R-5 ESL), and
2. Amend the site plan for previous case 67-ZN-92 for the 5+/- acre parcel with amended development standards, and
3. Adopt Ordinance No. 3470 affirming the above rezoning, site plan amendments and amended development standards.

Location: Southeast corner of 142nd Street & Shea Boulevard

Reference: 67-ZN-1992#2

Staff Contact(s): Tim Curtis, Project Coordination Manager, 480-312-4210, tcurtis@ci.scottsdale.az.us

15. Pinnacle Canyon at Troon North, Phase II, Unit II Subdivision Final Plat – OK – 7/0

Request: To develop a forty (40) lot single-family subdivision on a parcel of approximately 55 acres.

Location: Troon North

Reference: 39-PP-1995

Staff Contact(s): Jayna Shewak, Project Coordination Manager, 480-312-7059,
jshewak@ci.scottsdale.az.us

Public Comment - NONE

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City Manager's Report - NONE

Mayor and Council Items – COUNCILMAN ECTON – REQUESTED THAT THE SECURITY PLAN BE CLEANED UP FOR ITEM 6 ON TONIGHT'S AGENDA

Adjournment – 6:03 P.M.

Section 2.17 of the Scottsdale City Code states, "Regular Meetings that are scheduled to be conducted on consecutive days may be combined and held on either of the two (2) days, at the election of the council, and shall be considered a single meeting." The Council may hold over any items noticed on the Monday agenda to the agenda for the Tuesday meeting.